

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA

Plaintiff,

vs.

DALE H. WEBER,

Defendant.

No. 4:14-MJ-7139-JPH

ORDER DENYING THE UNITED
STATES' MOTION FOR
DETENTION

☒ MOTION DENIED
(ECF No. 8)

Date of bail hearing: 10/27/2014

The Court has conducted a bail hearing pursuant to 18 U.S.C. § 3142(f), and has considered the Pretrial Services Report and proffers of the parties. At the hearing, the United States concurred with the Pretrial Service Report's recommendation for the Defendant's release with conditions, including GPS monitoring, and withdrew its Motion for Detention. The following Order memorializes and supplements the factual findings and statement of reasons for release stated in court.

FINDINGS OF FACT AND STATEMENT OF REASONS

☒ Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that Defendant is a flight risk and a danger to the community based on the nature of the pending charge. This Court finds Defendant has rebutted the 18 U.S.C. § 3142(e) presumption and has met the burden of production, establishing there are conditions which will reasonably assure his appearance and the safety of the community.

☒ The United States has not established by a preponderance of the evidence

1 that Defendant is a risk of flight or non-appearance.

2 ☒ The United States has not established by clear and convincing evidence an
3 absence of conditions to reasonably assure the safety of the community.

4 ☒ The United States' Motion for Detention (**ECF No. 8**) is **DENIED as**
5 **MOOT.**

6 ☒ A separate Order will issue setting forth conditions of release.

7 **IT IS SO ORDERED.**

8 DATED October 29, 2014.

9
10 s/James P. Hutton
11 JAMES P. HUTTON
12 UNITED STATES MAGISTRATE JUDGE
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